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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Daniel Keith Tomaschko, Daniel James Horn, Xiao Kang Zhang, Nao Pao Lee
Application No.:	10/634370
Filed:	August 5, 2003
For:	BALLOON CONES AND WAISTS THINNING METHODOLOGY
Examiner:	Vy Q. Bui
Group Art Unit:	3731
Firm Docket No.:	S63.2N-7132-US03

DATE: December 21, 2005TIME: 11:07FACSIMILE NO.: 571-273-8300TOTAL NUMBER OF PAGES (including transmittal letter): 3

FACSIMILE TRANSMITTAL LETTER

Following please find a(n) 2 Pg Notice of Appeal; and 1 page Facsimile Transmittal Letter.

With respect to fees: ☐ No additional fee is believed to be required
☒ Charge Appeal fee and/or any fee deficiency to our Deposit Account No. 22-0350

Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

If any additional fees associated with this communication are required and have not otherwise been paid, please charge the additional fees to Deposit Account No. 22-0350. Please credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,
VIDAS, ARRETT & STEINKRAUSDate: December 21, 2005By: 
Jeremy G. Laabs
Registration No.: 531706109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
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Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300, on December 21, 2005.Signature: 
Mary C. Granger

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2N-7132-US03

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.
- ☐ A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

12/22/2005 MBINAS 00000030 220350 10634370
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■ **CONDITIONAL PETITION FOR EXTENSION OF TIME**

In the event a petition for extension of time is required and has not otherwise been requested or in the event the period specified is incorrect please consider this a petition for the appropriate extension therefore.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the attorney or agent of record.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: December 21, 2005

By: _____


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